



IPW 2655/8

PATENT
ATTORNEY DOCKET NO. 040894-5733

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	Confirmation No.: 1548
Fumio TAMURA)	
)	Group Art Unit: 2655
Application No. 09/976,029)	
)	Examiner: D. Brant
Filed: October 15, 2001)	
)	
For: FACILITY RETRIEVAL APPARATUS)	Mail Stop Amendment
AND METHOD)	

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, **Mail Stop Amendment**
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment in response to Office Action dated August 6, 2004.
2. Additional papers enclosed:

- | | |
|--------------------------|---|
| <input type="checkbox"/> | Drawings: <input type="checkbox"/> Formal <input type="checkbox"/> Informal |
| <input type="checkbox"/> | Information Disclosure Statement |
| <input type="checkbox"/> | Form PTO-1449, _____ references included |
| <input type="checkbox"/> | Citations |
| <input type="checkbox"/> | Submission of Replacement Drawings |
| <input type="checkbox"/> | Version with Markings Showing Changes in Specification |

12/07/2004 NNGUYEN1 00000024 500310 09976029
01 FC:1251 110.00 DA

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- ☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input checked="" type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 430.00	\$ 215.00
<input type="checkbox"/> three months	\$ 980.00	\$ 490.00
<input type="checkbox"/> four months	\$ 1,530.00	\$ 765.00

Extension of time fee due with this request: **\$110.00**

If an additional extension of time is required, please consider this a Petition therefor.

- ☐ An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	14	minus	20	0	x \$18 each=	+ \$ -0-
Independent Claims (37 C.F.R. §1.16(b))	3	minus	3	0	x \$88 each=	+ \$ -0-
[] First presentation of Multiple dependent claim(s)					\$300.00	+ \$
SUB-TOTAL =						\$ -0-
Reduction by ½ for filing by a small entity						- \$
TOTAL FEE =						\$ -0-

6. Fee Payment

- ☐ No fee is to be paid at this time.
- ☒ The Commissioner is hereby authorized to charge **\$110.00** representing one-month extension of time fee to Deposit Account No. 50-0310.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: December 6, 2004

By:

Mary Jane Boswell
 Mary Jane Boswell
 Reg. No. 33,652

CUSTOMER NO. 09629**MORGAN, LEWIS & BOCKIUS LLP**

1111 Pennsylvania Avenue, N.W.

Washington, D.C. 20004

Telephone: (202) 739-3000

Facsimile: (202) 739-3001



PATENT
ATTORNEY DOCKET NO. 040894-5733

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	Confirmation No.: 1548
Fumio TAMURA)	
)	Group Art Unit: 2655
Application No. 09/976,029)	
)	Examiner: D. Brant
Filed: October 15, 2001)	
)	
For: FACILITY RETRIEVAL APPARATUS)	Mail Stop Amendment
AND METHOD)	

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, **Mail Stop Amendment**
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

AMENDMENT

In response to the non-Final Office Action dated August 6, 2004, the period for response to which extends through December 6, 2004, with a petition for one-month extension of time and fee paid concurrently herewith, please amend the above-identified application as follows.